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EXAMINER	
MURPHY, DILLON J	

ART UNIT	PAPER NUMBER
2625	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/003,339	TREIBACH-HECK ET AL.	
	Examiner	Art Unit	
	Dillon J. Murphy	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 January 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

- This action is responsive to the amendment filed on January 17, 2006.
- Claims 1-13 are pending. Claims 1, 10, and 11 have been amended.
- Amendments to the specification have been acknowledged and accepted.
- Attorney's name change from "Jeffrey Slusher" to "Jeffrey Pearce" has been acknowledged.
- The examiner's art unit has changed recently from 2624 to 2625. Please update future correspondence.

Specification

In response to the amendment to the title, the title objection has been withdrawn.

Claim Objections

In response to the amendments to claims 9 and 12, the claim objections have been withdrawn.

Claims 1 and 10 are objected to under 37 CFR 1.75(d) because of the following informalities:

Claim 1 recites the limitation "the physical" in line 11. There is insufficient antecedent basis for this limitation in the claim. The examiner recommends changing "the physical" to –the physical form--.

Claim 10 recites the limitation "the physical" in line 10. There is insufficient antecedent basis for this limitation in the claim. The examiner recommends changing "the physical" to –the physical form--.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2, 8, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luther et al. (US 5721940) in view of Larson et al. (US 5943137), hereafter Luther and Larson.

Regarding claim 1, Luther teaches a method for collecting reports of at least one parameter comprising the following steps:

All in a central computer system (Luther, fig 1, wherein processing occurs in computer #4. Also see col 4, ln 13-22, wherein form processing occurs in computer):

In a form having a plurality of data fields, each corresponding to an indicator, which may be alphanumeric, of at least a partial value of at least one of the parameters (Luther, fig 4a, wherein blank form #11 has a plurality of data fields with corresponding alphanumeric indicators. Also see completed form #40, wherein form comprises a plurality of data fields with corresponding alphanumeric indicators, wherein values of parameters are in the data fields);

Automatically identifying the location of the data fields in the received representation of the image of the form (Luther, col 7, ln 63-67, wherein data fields are identified by locating dissimilar elements corresponding to completed form and identified form in form dictionary) by comparing the received electronic representation of the

image of the physical form with at least one pre-stored electronic representation of at least one template (Luther, col 7, ln 60-63, wherein completed form is processed to determine a form profile, and form profile is compared with templates in form dictionary. Also see step S508 in fig 5 showing comparing completed form and template);

Automatically extracting from the identified data fields the at least partial values of the corresponding parameters, and automatically storing the extracted values in a predetermined format in a memory for subsequent processing (Larson, col 8, ln 8-20, wherein designated data fields are identified and data is extracted. Extracted values are stored inherently in a predetermined format in a memory for subsequent processing, col 8, ln 30-32, data stored in memory).

Luther does not disclose expressly a method for collecting reports of at least one parameter comprising, all in a central computer system, automatically receiving from any of a plurality of senders, via a transmission channel, an electronic representation of an image of a physical form generated by a standard, conventional image-conversion device, the form having a plurality of data fields, each corresponding to an indicator, which may be alphanumeric, of at least a partial value of at least one of the parameters. Larson, however, teaches a method for collecting reports of at least one parameter comprising, all in a central computer system (Larson, col 8, ln 20-55, wherein form processing occurs in central fax server, #10 in fig 1) automatically receiving from any of a plurality of senders, via a transmission channel, an electronic representation of an image of a physical form generated by a standard, conventional image-conversion device (Larson, col 7, ln 42-47, wherein forms are received by fax server from users

sending faxes to server. See fig 5, #71, and fig 18, for automatic reception of form image. Form is received via fax transmission, col 12, ln 17-22), the format having a plurality of data fields, each corresponding to an indicator, which may be alphanumeric, of at least a partial value of at least one of the parameters (Larson fig 2a-1 through 2c-2, wherein forms comprise data fields with alphanumeric indicators).

Luther and Larson are combinable because they are from a similar field of endeavor of form processing. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the method of Larson comprising automatically receiving a form from a plurality of senders via a standard communication channel, the form having data fields with the method for collecting reports of Luther comprising receiving a form having a plurality of data fields, automatically identifying the location of the data fields, automatically extracting the identified data fields, and automatically storing the data in memory. The motivation for doing so would have been to process a plurality of forms from a plurality of senders and locations separate from the central processing to allow users to be located anywhere. Therefore, it would have been obvious to combine Larson with Luther to obtain the invention as specified in claim 1.

Regarding claim 2, which depends from claim 1, the combination of Luther and Larson teaches a method in which the electronic representation of the image of the physical form is generated using a conventional facsimile machine, whereby the transmission channel is a standard telephone line (Larson, col 7, ln 42-47, and fig 1, sending fax #30 and receive faxed forms #32, wherein a user uses a conventional

facsimile machine to fax a form to the central server, providing the electronic representation of the image. It is well known to one of ordinary skill in the art that a standalone facsimile machine uses a telephone line for transmission).

Regarding claim 8, which depends from claim 1, the combination of Luther and Larson teaches a method in which the step of automatically identifying the location of the data fields comprises the following sub-steps:

Storing an electronic representation of a template of each of a plurality of physical forms (Luther, col 4, ln 23-30, wherein templates of each form are included in a form dictionary);

Automatically identifying each received form by performing a best-fit comparison of each received electronic representation of the image of the corresponding physical form with the stored electronic representations of the templates (Luther, col 7, ln 5-20, wherein completed form profile is profile of received form, and completed form profile is compared with a form in the form dictionary. If there is a predetermined level of invariant elements reached, i.e. there is a best match, then the received form is identified to match a template);

Automatically registering the received electronic representation of the received physical form image with the best-fit electronic template representation (Luther, col 7, ln 17-19, wherein received form is registered with best-fit template); and

Matching the data fields in the received electronic representation of the received physical form image with corresponding data fields in the best-fit electronic template representation (Luther, col 5, ln 10-34, wherein the form of fig 4a is scanned in and a

form profile is made to characterize the data fields of the blank form in fig 4b. In col 6, ln 48-58, wherein when a completed form is received as shown in fig 6, the completed form is characterized as shown in fig 8a to identify the data fields. To identify the form, the characteristics of the data fields for the blank form and completed form are matched in a best fit manner, col 7, ln 5-13).

Regarding claim 11, the combination of Luther and Larson teaches a system for collecting reports of at least one parameter comprising (Luther and Larson are combinable in a similar fashion as explained in the rejection of claim 1 above):

A central server (Larson, fig 1, central fax server #10) that includes:

Input/output means for automatically receiving from any of a plurality of senders (Larson, fig 1, input means #32, output means #18, plurality of senders sending form #30), via a transmission channel, an electronic representation of an image of a physical form, generated by a standard, conventional image-conversion device (Larson, col 7, ln 42-47, wherein forms are received by fax server from users sending faxes to server. See fig 5, #71, and fig 18, for automatic reception of form image. Form is received via fax transmission, col 12, ln 17-22), the form having a plurality of data fields, each corresponding to an indicator, which may be alphanumeric, of at least a partial value of at least one of the parameters (Larson fig 2a-1 through 2c-2, wherein forms comprise data fields with alphanumeric indicators. Also see Luther, fig 4a, wherein blank form #11 has a plurality of data fields with corresponding alphanumeric indicators. Also see completed form #40, wherein form comprises a plurality of data fields with

corresponding alphanumeric indicators, wherein values of parameters are in the data fields);

Form processing means (Luther, col 4, ln 13-22, form processing):

For automatically identifying the location of the data fields in the received representation of the image of the form (Luther, col 7, ln 63-67, wherein data fields are identified by locating dissimilar elements corresponding to completed form and identified form in form dictionary) by comparing the received electronic representation of the image of the physical form with at least one pre-stored electronic representation of at least one template (Luther, col 7, ln 60-63, wherein completed form is processed to determine a form profile, and form profile is compared with templates in form dictionary. Also see step S508 in fig 5 showing comparing completed form and template);

For automatically extracting from the identified data fields the at least partial values of the corresponding parameters; and for automatically storing the extracted values in a predetermined format in a memory for subsequent processing (Larson, col 8, ln 8-20, wherein designated data fields are identified and data is extracted. Extracted values are stored inherently in a predetermined format in a memory for subsequent processing, col 8, ln 30-32, data stored in memory).

Regarding claim 12, which depends from claim 11, the combination of Luther and Larson further teaches a system comprising a facsimile machine forming means for converting the physical form into the electronic representation and for sending the electronic representation of the image of the physical form to the central server, in which

the form is generated using a conventional facsimile machine (Larson, col 7, ln 42-47, for example, wherein the electronic representation is formed at the user's facsimile machine and sent to the central fax server. See "fill out forms" #28 and send fax #30 in fig 1, wherein generated forms are sent to the central server), and the transmission channel is a standard telephone line (It is well known to one of ordinary skill in the art that a standalone facsimile machine uses a telephone line for transmission).

Claims 3, 4, 5, 10, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luther et al. (US 5721940) in view of Larson et al. (US 5943137) and further in view of Al-Hussein (US 5809167), hereafter Luther and Larson and Al-Hussein.

Regarding claim 3, which depends from claim 2, the combination of Luther and Larson teaches a method for collecting reports of at least one parameter comprising, in a central computer system, automatically receiving a form from a plurality of sender senders via a standard fax machine over a telephone line, automatically identifying location of data fields, automatically extracting data from the identified data fields, and automatically storing extracted parameters. The combination of Luther and Larson does not disclose expressly a method further including the step of transferring the stored extracted values to an external recipient via a network, all processing of the physical form after transmission by the sender up to and including transfer to the external recipient via the network thereby taking place automatically. Al-Hussein, however, teaches a method further including the step of transferring the stored

extracted values to an external recipient via a network, all processing of the physical form after transmission by the sender up to and including transfer to the external recipient via the network thereby taking place automatically (Al-Hussein, col 10, ln 40-45, wherein method includes sending electronic image to a network disk to be part of a searchable database. Transferring as taught by Al-Hussein is also automatically controlled by system, col 9, ln 62-64).

Luther, Larson, and Al-Hussein are combinable because they are from a similar field of image processing over a network. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the method of Al-Hussein comprising transferring the stored extracted values to an external recipient via a network automatically with the combination of Luther and Larson teaching a method for collecting reports of at least one parameter comprising, in a central computer system, automatically receiving a form from a plurality of sender senders via a standard fax machine over a telephone line, automatically identifying location of data fields, automatically extracting data from the identified data fields, and automatically storing extracted parameters. The motivation for doing so would have been to provide further processing to the data or to back up the data remotely. Additionally, the suggestion for sending the data to an external recipient was given by Luther in col 7, ln 20-29, wherein processing may include sending to an external recipient. Therefore, it would have been obvious to combine Al-Hussein with the combination of Luther and Larson to obtain the invention as specified in claim 3.

Regarding claim 4, which depends from claim 1, the combination of Luther and Larson teaches a method for collecting reports of at least one parameter comprising, in a central computer system, automatically receiving a form from a plurality of sender senders via a standard image conversion device, automatically identifying location of data fields, automatically extracting data from the identified data fields, and automatically storing extracted parameters. The combination of Luther and Larson does not disclose expressly a method in which each data field indicates a quantifiable or or itemizable value of a corresponding one of the parameters, further including the additional step of storing the received electronic representation of the image of the physical form in the memory, whereby non-quantifiable and non-itemizable entries bu the user onto the physical form are made available for subsequent review. Al-Hussein, however, teaches a method in which each data field indicates a quantifiable or itemizable value of a corresponding one of the parameters, further including the additional step of storing the received electronic representation of the image of the physical form in the memory (Al-Hussein, col 7, ln 44-51, individual characters are extracted from text regions in the page and stored as a text file), whereby non-quantifiable and non-itemizable entries by the user onto the physical form are made available for subsequent review (Al-Hussein, col 10, 46-55, entire image, including non-quantifiable and non-itemizable entries, is stored in memory and associated with text file of extracted information. Upon searching the extracted text, it is possible to bring up non-quantifiable information for subsequent review).

Luther, Larson, and Al-Hussein are combinable because they are from a similar field of image processing over a network. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the method of Al-Hussein comprising storing the received image in memory, whereby non-quantifiable and non-itemizable entries by the user onto the physical form are made available for subsequent review with the method of Luther and Larson comprising collecting reports of at least one parameter comprising, in a central computer system, automatically receiving a form from a plurality of sender senders via a standard image conversion device, automatically identifying location of data fields, automatically extracting data from the identified data fields, and automatically storing extracted parameters. The motivation for doing so would have been to reduce the possibility of inadvertently discarding information or misclassifying data. Additionally, the suggestion for doing so was given by Luther in col 8, ln 45-50, wherein if data is non-quantifiable, the data is made available for subsequent review or further processing, while also in Luther in col 7, ln 30-37, hybrid documents comprising text and graphical elements may be submitted for further processing. Therefore, it would have been obvious to combine Al-Hussein with the combination of Luther and Larson to obtain the invention as specified in claim 4.

Regarding claim 5, which depends from claim 1, the combination of Luther, Larson, and Al-Hussein further teaches a method further including the step of storing recipient-entered annotations in the memory along with the stored extracted values of the respective received form (Al-Hussein, col 10, ln 40-55, entire image, including

annotations, is stored in memory along with associated text file of extracted information. Upon searching the extracted text, it is possible to bring up non-quantifiable information for subsequent review. Luther, Larson, and Al-Hussein are combinable for a similar reason as explained above in the rejection of claim 4).

Regarding claim 10, Luther teaches a method for collecting reports of at least one parameter comprising:

All in a central computer system (Luther, fig 1, wherein processing occurs in computer #4. Also see col 4, ln 13-22, wherein form processing occurs in computer):

In a form having a plurality of data fields, each corresponding to an indicator, which may be alphanumeric, of at least a partial value of at least one of the parameters (Luther, fig 4a, wherein blank form #11 has a plurality of data fields with corresponding alphanumeric indicators. Also see completed form #40, wherein form comprises a plurality of data fields with corresponding alphanumeric indicators, wherein values of parameters are in the data fields);

Automatically identifying the location of the data fields in the received representation of the image of the form (Luther, col 7, ln 63-67, wherein data fields are identified by locating dissimilar elements corresponding to completed form and identified form in form dictionary) by comparing the received electronic representation of the image of the physical with at least one pre-stored electronic representation of at least one template (Luther, col 7, ln 60-63, wherein completed form is processed to

determine a form profile, and form profile is compared with templates in form dictionary. Also see step S508 in fig 5 showing comparing completed form and template);

Automatically extracting from the identified data fields the at least partial values of the corresponding parameters, and automatically storing the extracted values in a predetermined format in a memory for subsequent processing (Larson, col 8, ln 8-20, wherein designated data fields are identified and data is extracted. Extracted values are stored inherently in a predetermined format in a memory for subsequent processing, col 8, ln 30-32, data stored in memory);

The step of automatically identifying the location of the data fields comprises the following sub-steps:

Storing an electronic representation of a template of each of a plurality of physical forms (Luther, col 4, ln 23-30, wherein templates of each form are included in a form dictionary);

Automatically identifying each received form by performing a best-fit comparison of each received electronic representation of the image of the corresponding physical form with the stored electronic representations of the templates (Luther, col 7, ln 5-20, wherein completed form profile is profile of received form, and completed form profile is compared with a form in the form dictionary. If a predetermined number of invariant elements, i.e. there is a best match, then the received form is identified to match a template);

Automatically registering the received electronic representation of the received physical form image with the best-fit electronic template representation (Luther, col 7, ln 17-19, wherein received form is registered with best-fit template); and

Matching the data fields in the received electronic representation of the received physical form image with corresponding data fields in the best-fit electronic template representation (Luther, col 5, ln 10-34, wherein the form of fig 4a is scanned in and a form profile is made to characterize the data fields of the blank form in fig 4b. In col 6, ln 48-58, wherein when a completed form is received as shown in fig 6, the completed form is characterized as shown in fig 8a to identify the data fields. To identify the form, the characteristics of the data fields for the blank form and completed form are matched in a best fit manner, col 7, ln 5-13).

Luther does not disclose expressly a method including:

All in a central computer system:

Automatically receiving from any of a plurality of senders,

via a transmission channel, an electronic representation of an image of a physical form, the form having a plurality of data fields, each corresponding to an indicator, which may be alphanumeric, of at least a partial value of at least one of the parameters;

transferring the stored extracted values to an external recipient via a network, all processing of the physical form after transmission by the sender up to and including transfer to the external recipient via the network thereby taking place automatically;

in which: the electronic representation of the image of the physical form is

generated using a standard, conventional facsimile machine, whereby the transmission channel is a standard telephone line and the central computer system is separate from the facsimile machine other than through its connection via the transmission channel;

each data field indicates a quantifiable or itemizable value of a corresponding one of the parameters, further including the additional step of storing the received electronic representation of the image of the physical form in the memory, whereby non-quantifiable and non-itemizable entries by the user onto the physical form are made available for subsequent review;

Larson, however, teaches a method for collecting reports of at least one parameter comprising, all in a central computer system (Larson, col 8, ln 20-55, wherein form processing occurs in central fax server, #10 in fig 1) automatically receiving from any of a plurality of senders, via a transmission channel, an electronic representation of an image of a physical form generated by a standard, conventional image-conversion device (Larson, col 7, ln 42-47, wherein forms are received by fax server from users sending faxes to server. See fig 5, #71, and fig 18, for automatic reception of form image. Form is received via fax transmission, col 12, ln 17-22), the format having a plurality of data fields, each corresponding to an indicator, which may be alphanumeric, of at least a partial value of at least one of the parameters (Larson fig 2a-1 through 2c-2, wherein forms comprise data fields with alphanumeric indicators).

Larson additionally teaches a method in which the electronic representation of the image of the physical form is generated using a conventional facsimile machine,

whereby the transmission channel is a standard telephone line (Larson, col 7, ln 42-47, and fig 1, sending fax #30 and receive faxed forms #32, wherein a user uses a conventional facsimile machine to fax a form to the central server, providing the electronic representation of the image. It is well known to one of ordinary skill in the art that a standalone facsimile machine uses a telephone line for transmission) and the central computer system is separate from the facsimile machine other than through its connection via the transmission channel (Larson, fig 1, wherein server location #10 is separate from user facsimile machine, col 7, ln 45-47).

Luther and Larson are combinable because they are from a similar field of endeavor of form processing. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the method of Larson comprising automatically receiving a form from a plurality of senders via a standard communication channel, the facsimile being separate from the central server other that the transmission line, the form having data fields with the method for collecting reports of Luther comprising receiving a form having a plurality of data fields, automatically identifying the location of the data fields, automatically extracting the identified data fields, and automatically storing the data in memory, wherein the step of identifying the location of the data fields additionally comprises identifying each form, registering the received form, and matching the data fields. The motivation for doing so would have been to process a plurality of forms from a plurality of senders and locations separate from the central processing to allow users to be located anywhere.

The combination of Luther and Larson teaches a method for collecting reports as disclosed above. The combination of Luther and Larson does not disclose expressly a method further comprising:

transferring the stored extracted values to an external recipient via a network, all processing of the physical form after transmission by the sender up to and including transfer to the external recipient via the network thereby taking place automatically;

each data field indicates a quantifiable or itemizable value of a corresponding one of the parameters, further including the additional step of storing the received electronic representation of the image of the physical form in the memory, whereby non-quantifiable and non-itemizable entries by the user onto the physical form are made available for subsequent review;

Al-Hussein, however, teaches a method further including the step of transferring the stored extracted values to an external recipient via a network, all processing of the physical form after transmission by the sender up to and including transfer to the external recipient via the network thereby taking place automatically (Al-Hussein, col 10, ln 40-45, wherein method includes sending electronic image to a network disk to be part of a searchable database. Transferring as taught by Al-Hussein is also automatically controlled by system, col 9, ln 62-64).

Additionally, Al-Hussein teaches a method in which each data field indicates a quantifiable or itemizable value of a corresponding one of the parameters, further including the additional step of storing the received electronic representation of the image of the physical form in the memory (Al-Hussein, col 7, ln 44-51, individual

characters are extracted from text regions in the page and stored as a text file), whereby non-quantifiable and non-itemizable entries by the user onto the physical form are made available for subsequent review (Al-Hussein, col 10, 46-55, entire image, including non-quantifiable and non-itemizable entries, is stored in memory and associated with text file of extracted information. Upon searching the extracted text, it is possible to bring up non-quantifiable information for subsequent review).

Luther, Larson, and Al-Hussein are combinable because they are from a similar field of image processing over a network. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the method of Al-Hussein comprising transferring the stored extracted values to an external recipient via a network automatically, and storing the received image in memory, whereby non-quantifiable and non-itemizable entries by the user onto the physical form are made available for subsequent review with the combination of Luther and Larson teaching a method for collecting reports of at least one parameter comprising, in a central computer system, automatically receiving a form from a plurality of sender senders via a standard fax machine over a telephone line, the facsimile being separate from the central server other that the transmission line, the form having data fields automatically identifying location of data fields, automatically extracting data from the identified data fields, and automatically storing extracted parameters. The motivation for doing so would have been to provide further processing to the data or to back up the data by sending the data to an external recipient. Additionally, the suggestion for sending the data to an external recipient was given by Luther in col 7, ln 20-29, wherein processing

may include sending to an external recipient. Additionally, the motivation for indicating quantifiable and non-quantifiable data would have been to reduce the possibility of inadvertently discarding information or misclassifying data. Therefore, it would have been obvious to combine Al-Hussein with the combination of Luther and Larson to obtain the invention as specified in claim 10.

Regarding claim 13, which depends from claim 11, the combination of Luther, Larson, and Al-Hussein teaches a system in which the form processing means includes annotation means for receiving and storing recipient-entered annotations in the memory along with the stored extracted values of the respective received forms (Al-Hussein, col 10, ln 40-55, entire image, including annotations, is stored in memory along with associated text file of extracted information. Upon searching the extracted text, it is possible to bring up non-quantifiable information for subsequent review. Also see col 5, ln 33-37, wherein annotations, i.e. images, may be input using facsimile means. Luther, Larson, and Al-Hussein are combinable for a similar reason as explained above in the rejection of claim 4).

Claims 6, 7, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luther et al. (US 5721940) in view of Larson et al. (US 5943137) and further in view of Shepard (US 4021777), hereafter Luther and Larson and Shepard.

Regarding claim 6, which depends from claim 1, the combination of Luther and Larson teaches a method for collecting reports of at least one parameter comprising, in

a central computer system, automatically receiving a form from a plurality of sender senders via a standard image conversion device, automatically identifying location of data fields, automatically extracting data from the identified data fields, and automatically storing extracted parameters. The combination of Luther and Larson does not disclose expressly a method further comprising associating at least two different physical forms with different senders, and automatically determining the identity of each sender based on the received image of the physical form. Shepard, however, teaches a method comprising associating at least two different physical forms with different senders, and automatically determining the identity of each sender based on the received image of the physical form (Shepard, col 5, ln 16-18, form with ID number is associated with a specific customer. The method as taught by Shepard comprises processing multiple forms from multiple customers without a loss in operating efficiency, as seen in col 8, ln 44-53).

Luther, Larson, and Shepard are combinable because they are from a similar field of endeavor of form processing. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the method of Shepard comprising associating forms with different senders and automatically determining the identity of each sender based on the received image with the method of Luther and Larson comprising collecting reports of at least one parameter comprising, in a central computer system, automatically receiving a form from a plurality of sender senders via a standard image conversion device, automatically identifying location of data fields, automatically extracting data from the identified data fields, and automatically storing

extracted parameters. The motivation for doing so would have been to organize the system for multiple users and to reduce the burden of classifying from the operator. Therefore, it would have been obvious to combine Shepard with the combination of Luther and Larson to obtain the invention as specified in claim 6.

Regarding claim 7, which depends from claim 6, the combination of Luther, Larson, and Shepard teaches a method for collecting reports further comprising:

Storing an electronic representation of a template of each included physical form (Luther, col 4, ln 23-30, wherein templates of each form are included in a form dictionary); and

Automatically identifying received forms by performing a best-fit comparison of each received electronic representation of the image of one of the physical forms with the stored electronic representations of the templates (Luther, col 7, ln 5-20, wherein completed form profile is profile of received form, and completed form profile is compared with a form in the form dictionary. If a predetermined number of invariant elements, i.e. there is a best match, then the received form is identified to match a template).

Regarding claim 9, which depends from claim 1, the combination of Luther and Larson teaches a method for collecting reports of at least one parameter comprising, in a central computer system, automatically receiving a form from a plurality of sender senders via a standard image conversion device, automatically identifying location of data fields, automatically extracting data from the identified data fields, and automatically storing extracted parameters. Larson additionally teaches generating the

electronic representation of the image of the physical form using a conventional facsimile machine (Larson, col 7, ln 42-47, and fig 1, sending fax #30 and receive faxed forms #32, wherein a user uses a conventional facsimile machine to fax a form to the central server, providing the electronic representation of the image). It is well known to one of ordinary skill in the art that a facsimile machine uses a telephone line for transmission. The combination of Luther and Larson does not disclose expressly a method for collecting reports wherein in the electronic representation of the image of the physical form at least one of the parameters is time and the physical form is a time sheet. Shepard, however, discloses a method for collecting reports wherein at least one parameter is time and the physical form is a time sheet (Shepard, col 5, ln 1-13, business form is a conventional time sheet comprising at least one parameter that is time).

Luther, Larson, and Shepard are combinable because they are from a similar field of endeavor of form processing. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the method of Shepard comprising collecting a report in which one of the parameters is time and the form is a time sheet with the method of Luther and Larson comprising collecting reports of at least one parameter comprising, in a central computer system, automatically receiving a form from a plurality of sender senders via a standard image conversion device, automatically identifying location of data fields, automatically extracting data from the identified data fields, and automatically storing extracted parameters. The motivation for doing so would have been to automate the drudgery of keeping track of time for

multiple users. Additionally, the learning process of the form processing system of Luther places no restrictions on the types of forms to be defined in the form dictionary. Therefore, it would have been obvious to combine Shepard with the combination of Luther and Larson to obtain the invention as specified in claim 9.

Response to Arguments

Applicant's arguments with respect to claims 1, 6, and 11 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments with respect to the former combination of Shepard and Al-Hussein have been considered but are moot in view of the new ground(s) of rejection.

On page 11 of Remarks filed January 17, 2006, Applicant argues that Al-Hussein teaches "processing at the source". Examiner respectfully disagrees, citing the Personal Imaging Computer System, or PICS, that is capable of input and output via facsimile. The PICS may receive a form from a plurality of senders, and the processing may occur at the PICS, meeting the limitation of claims 1, 10 and 11 of collecting reports "all in a central computer system (or server)". Response to applicant's arguments regarding the teachings of Al-Hussein continue below.

On page 12 of Remarks filed January 17, 2006, Applicant argues that Al-Hussein does not allow users to send their documents for processing using a standard, conventional image-conversion device. The examiner respectfully disagrees, citing col 11, ln 12-18, wherein a document may be received by the system via standard remote scanning, and transmission via a telephone line, i.e. a standard facsimile machine.

Additionally, in col 5,ln 32-41, the PICS equipment of Al-Hussein comprises a facsimile/modem interface, thereby communicating using standard facsimile operation.

On pages 11-12, applicant states Al-Huessin does not teach an automated form-receiving process. The applicant cites col 8-ln 46-55, stating the user must physically carry the documents to the PICS. It the document is to be input via the facsimile communication channel, inputting of the document is automatic. In Al-Hussein, col 6, ln 48-53, the cited passage teaches the ability for a remote computer to access files stored in the network disk, and apply processing at the PICS. Again, if the document is received by the facsimile channel, it is not required to perform this optional step for retrieving documents. Applicant also cites col 4, ln 16-19 (presumably col 6, ln 16-19), which explains one method of physically scanning a document into the PICS. Additionally, Al-Hussein discloses, in col 8, ln 62-col 9, ln 18, that functions regarding image processing may be programmed into functions keys to chain together some or all of the tasks. Therefore, the only operator interaction would be to press a button starting the macros, from which all processing would be automatic.

As per the Applicant's argument that there is no suggestion or teaching in Al-Hussein of a truly automated form-receiving, form-processing and data extraction system (Page 12 of Remarks filed January 17, 2006), the Examiner contests based on the mere fact that because the processing automatic, that is not enough to distinguish it from the prior art. See MPEP 2144.04. See also In re Venner, 262 F.2d 91, 95, 120 USPQ 193, 194 (CCPA 1958). The court held that broadly providing an automatic or

mechanical means to replace a manual activity, which accomplished the same result, is not sufficient to distinguish over the prior art.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dillon J. Murphy whose telephone number is (571) 272-5945. The examiner can normally be reached on M-F, 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on (571) 272-7471. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DJM

KA Williams

KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER